



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105

October 29, 2014

Mr. Bradley J. Adams
Troutman Sanders LLP
600 Peachtree Street NE, Suite 5200
Atlanta, Georgia 30308-2215

Re: Freedom of Information Act Request EPA-R9-2014-009950

Dear Mr. Adams:

This is in response to your Freedom of Information Act request regarding:

1. Any and all documentation of any type to or from anyone at the EPA to anyone at the California Environmental Protection Agency (CalEPA), California Department of Parks and Recreation (CDPR), the California State Lands Commission (CSLC), the U.S. Navy, the California Regional Water Quality Control Board (RWQCB), the San Francisco Public Utilities Commission (SFPUC), the City of San Francisco, Arc Ecology, Alliance for a Clean Water Front, Bayview Hunters Point Community Advocates, Clean Water Fund, Golden Gate Audubon Society, Literacy for Environmental Justice, University of San Francisco, and/or the California Office of Environmental Health Hazard Assessment (OEHHA) concerning the Yosemite Slough Site or surrounding area;
2. A copy of the 2007 letter (and any attachments) the California Regional Water Quality Control Board provided to EPA in making a request for EPA assistance regarding the Site and all previous subsequent correspondence between EPA and the regional board regarding the Site;
3. Any and all documentation of any type to or from anyone at EPA with anyone at the California Department of Toxic Substances Control (DTSC), the California Office of Environmental Health Hazard Assessment (OEHHA), the United States Defense Reutilization and Marketing Service, the United States Department of Justice and/or the California Environmental Protection Agency (CalEPA) relating to the Bay Area Drum Site, 1212 Thomas Avenue San Francisco, California;
4. Any and all documentation of any type evidencing when EPA first became aware of the presence of any hazardous substances or identification of any potentially responsible parties at the Yosemite Slough Site; and
5. Any and all documentation of any type evidencing when EPA first became aware of the presence of any hazardous substances or identification of any potentially responsible parties at the Bay Area Drum Site, 1212 Thomas Avenue, San

Francisco, California.

Pursuant to your email on September 5, 2014, the scope of your request was narrowed to include only documents and communications dated before December 31, 2007. Additionally, pursuant to your email on September 24, the scope of your request was narrowed to exclude documents related solely to Hunters Point Naval Shipyard.

We previously provided you with some of the documents responsive to your request. Enclosed you will find copies of the remaining documents responsive to your request.

We are unable to provide you with the documents, or portions of documents, which have been determined to be exempt from mandatory disclosure by virtue of 5 U.S.C. 552(b)(5) and (7). An itemized list by categories of the withheld material along with the basis for withholding is provided on the enclosure to this letter.

You may appeal this partial denial to the National Freedom of Information Officer, U.S. EPA, FOIA and Privacy Branch, 1200 Pennsylvania Avenue, N.W. (2822T), Washington, DC 20460 (U.S. Postal Service Only), FAX: (202) 566-2147, E-mail: hq.foia@epa.gov. Only items mailed through the United States Postal Service may be delivered to 1200 Pennsylvania Avenue, NW. If you are submitting your appeal via hand delivery, courier service, or overnight delivery, you must address your correspondence to 1301 Constitution Avenue, N.W., Room 6416J, Washington, DC 20004. Your appeal must be made in writing, and it must be submitted no later than 30 calendar days from the date of this letter. The Agency will not consider appeals received after the 30 calendar day limit. The appeal may include as much or as little related information as you wish, as long as it clearly identifies the determination being appealed and includes the assigned FOIA request number - EPA-R9-2014-009950. For quickest possible handling, the appeal letter and its envelope should be marked "Freedom of Information Act Appeal."

Please contact Rachel Tennis at (415) 972-3746, should you have any questions concerning this matter.

Sincerely,



for

Robert Moyer
Deputy Regional Counsel
U.S. Environmental Protection Agency, Region IX

Enclosures